



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE
LOS ANGELES COUNTY
COMMISSION FOR CHILDREN AND FAMILIES**

**KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 739
LOS ANGELES, CALIFORNIA 90012**

Monday, September 19, 2011

10:00 AM

ROLL CALL

Present: Chair Curry, Vice Chair Friedman, Vice Chair Olivas,
Commissioner Berger, Commissioner Biondi, Commissioner
Franzen, Commissioner Kang, Commissioner Kleinberg,
Commissioner Murray, Commissioner Sorkin, Commissioner
Trevino-Powell and Commissioner Williams

Excused: Vice Chair Savelle, Commissioner McClaney and Commissioner
Rudnick

1. Call to order. (11-3833)

The meeting was called to order by Chair Curry at 10:06 a.m.

2. Introduction of September 19, 2011, meeting attendees. (11-4027)

Self-introductions were made.

I. ADMINISTRATIVE MATTER

3. Approval of the Agenda of September 19, 2011. (11-4019)

**On motion of Vice-Chair Olivas, seconded by Commissioner Kleinberg
(Commissioners Kang, McClaney, Savelle and Rudnick being absent), the
agenda for the September 19, 2011, was approved.**

II. REPORTS

4. Chair's Report by Patricia Curry, Chair, for September 19, 2011. (11-4028)

Chair Curry reported the following:

- **Commissioner Kang is the new Faith-Based Committee Chair. This Committee's first meeting scheduled this year will be held this afternoon, September 19, 2011, at 12:30 p.m. in conference room B-22 at the Kenneth Hahn Hall of Administration.**
- **Chair Curry thanked Commissioner Sorkin for attending the Children's Court Trust Fund Oversight Committee meeting. The Committee meets once a year to determine how the parking revenue generated at Edmund D. Edelman Children's Court (Edelman Court), located in Monterey Park, will be spent.**

Commissioner Sorkin reported the following:

- **When the Edelman Court first opened, Supervisor Edelman established a trust fund to collect a certain amount of the parking fees for special programs. However, the building and parking lot was recently transferred to the State of California (State), and the State declined to maintain the trust fund. However, the Los Angeles County Chief Executive Office (CEO) agreed to maintain the \$150,000 allocation from the trust fund to continue special programs. This amount is down from previous years where the average was approximately \$250,000.**
- **This year the money will fund such program as: The Free Arts Children's Courthouse Program, Court Appointed Special Advocates for Children (CASA), Comfort for Court Kids, and other programs.**
- **In the past, the fund has also paid for the refurbishment of the Edelman Court, court room seats and the installation of an awning at the entrance of the Court so parents wouldn't have to wait in the rain. The cost for parking at the Edelman Court also sustains a \$15,000 contingency fund.**
- **Edelman Court has seen a decrease in the number of Dependency hearings resulting in the closure of one of the courtrooms at the end of the year. However, the need for an additional courtroom in Lancaster, with the closure of one of the Edelman courtrooms, will meet the growing need in the Lancaster/Palmdale area.**

Commissioner Sorkin submitted written correspondence; copies of documents will be e-mailed to the Commission members.

- **Monday, November 7, 2011, is the tentative date for the Commission Annual Retreat. Commissioners' interested in taking the lead in organizing the Annual Retreat is greatly appreciated.**
- **The Commission Holiday Luncheon has been tentatively scheduled for Monday, December 5, 2011. If any Commissioner is interested in taking the lead, selecting a date and venue, and organizing the luncheon, please contact Chair Curry.**
- **Ms. Laura Hinojosa, Senior Associate County Counsel, will replace Ms. Christina Salseda Principal Deputy County Counsel, as the Commission's Counsel, as Ms. Salseda will be moving to another assignment. Thanks to Ms. Salseda for the assistance provided while working with the Commission. Good luck on her new assignment.**
- **Commissioners, who have yet to complete the AB 1234 Ethics Training, please contact staff to schedule the course which can be completed online or through an instructor-led course.**

After discussion, by common consent and there being no objection, this item was received and filed.

5. DCFS Interim Director's Report by Philip L. Browning, Interim Director, DCFS. (11-4032)

DCFS Interim Director, Philip L. Browning reported that effective September 16, 2011, the Los Angeles County Board of Supervisors (Board) appointed him to the position of Interim Director to the Department of Children and Family Services (DCFS). Mr. Browning added that he will serve in this capacity until a permanent DCFS Director is selected, upon which he will revert to his position of Director of the Department of Public Social Services.

DCFS staff, as well as the Commission, has been tremendously welcoming. The first three weeks have proven to be a challenging learning curve, as DCFS has many initiatives and areas of practice.

In an introductory e-mail to DCFS staff, Interim Director Browning highlighted the importance of accountability, critical thinking, common sense, and communication for the Department. He strongly believes that

applying common sense, using critical thinking skills, and improving communication can greatly improve the lives of children. Communication is vital in every department where often times, the lack of, results in working in silos.

To become thoroughly familiar with the DCFS, Mr. Browning indicated that he visited the DCFS Command Post, which was recently moved to a modern and technologically-advanced building, the Hotline Call Center, and the DCFS Compton Office. While visiting the Compton Office he had the opportunity to interact with several 16-17 year-old foster youth who talked about their experiences and plans for the future. The responses by these youth were both sad and motivating as the youth rely on DCFS for help, and DCFS has an opportunity to help them achieve their dreams.

Interim Director Browning highlighted his top priorities for DCFS, which include:

- The Katie A. et al., vs. Diana Bonta et al. (State of California and County of Los Angeles) Lawsuit, filed July 2002, a class-action lawsuit on behalf of five named plaintiff foster children, as well as, a class of children and young adults already in foster care, and/or those at risk of entering the foster care system, who upon settlement in lieu of monetary compensation, requested that the State and County improve upon its delivery of mental health services to children and families. In 2003, the Court approved the County's Settlement Agreement resolving the County's portion of the Katie A. lawsuit. An Advisory Panel of experts act as overseers to the County's Settlement Agreement to ensure the County's compliance. Interim Director Browning noted that he recently met with the Panel and plans to be more involved with them. He further added that in conversations with Board Deputies, they also expressed interest in being involved with the Panel. Interim Director Browning believes increased Board involvement with the Katie A. Panel will not only improve practice, but also outcomes for children.
- The Quality Service Review (QSR) training. QSR is an in-depth, case-based quality review process focused on integrated child welfare and mental health practices involving dependency and concurrency for children in care. Review findings will be used DCFS and DMH to stimulate and support efforts to improve practice for children, youth, and families receiving child welfare and children's mental health services in Los Angeles County. DCFS staff is currently attending QSR training. Board Deputies have also expressed interest in attending the trainings and observing and actual QSR.

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- **The Title IV-E Waiver (Waiver).** DCFS is in the third sequence of the Waiver and is currently conducting evaluations on the programs funded by the Waiver. There is some Waiver money that needs to be spent before the end of June 2012; therefore, evaluations concluding in June 2012 will take into consideration all program funded by the Waiver. DCFS is working with the Board Deputies on Waiver Funds, and prepare a detailed report on which programs will be funded using the Waiver.
 - **A lawsuit filed by the Los Angeles Times against DCFS regarding California Senate Bill (SB) 39.** Recently enacted, California SB 39 requires the release of important information about deaths of children from abuse and neglect. DCFS, through County Counsel will provide an update on the lawsuit when it becomes available.
 - **California Assembly Bill 12 California Fostering Connections to Success Act (AB 12).** A Bill signed by former Governor Arnold Schwarzenegger on September 30, 2010, which allows foster youth to remain in the foster care system until they are 21. Under AB 12, foster youth who continue their education or job training and who work a part-time job are eligible for extended benefits until they turn 21 years of age.

Interim Director Browning further added:

- **He recently attended a County Welfare Directors Association of California (CWDA) meeting in which AB 12 was discussed.** All California Counties are reviewing their child welfare cases to determine eligibility for Federal funding. DCFS has approximately 6,600 cases that were initially set for review under AB 12, and have since reviewed approximately 2,500 cases and have negotiated agreements for 3,600 cases.

Ms. Lara Holtzman, Esq. from the Alliance for Children's Rights provided the Commission with clarification on the details of AB 12, Ms. Holtzman reported the following:

- **Youth who turn 18 may decide to opt-out, under what is called "trial independence."** During trial independence the youth's case closed. Youth who opt-out do have an option to come back into the system. In addition, youth who opt-out will not receive any financial assistance.

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- Youth who decide to opt-in have many options for placement, including residing/participating in:
 - A home of a relative, non-related legal guardian, or foster parent
 - A group home setting up to age 19 (or possibly later if there is a documented medical reason)
 - THP-Plus Foster Care Program
 - Supervised Independent Living Placement (SILP)
 - Every youth aging out of the foster care system is eligible for AB 12; however the age extension which begins on January 1, 2012 is only for youth 18 through 19 years of age in 2012. In addition, there are some issues regarding rate changes and unfortunately the issues have not yet been resolved.
 - AB 12 will result in cost-savings for California because KinGap was initially a State program; however, since the passing of AB 12, cases can be transferred over to Federal funding that will result in a cost savings for California and the County.
 - The sooner DCFS reviews the 6,600 cases and converts cases to the Federal subsidized KinGap Program, the more savings will be generated by the County allowing funds to be put into the other aspects of AB12.
 - DCFS has not yet completed its review of the 6,600 cases, and is therefore unable to make any determinations on exactly how much money will be available for other areas.
 - The Board continues active recruitment of a permanent DCFS Director. A list of names may be available by the end of September 2011.

In response to questions posed by the Commission Interim Director Browning added the following:

- DCFS recently applied for funding outside of the Waiver to support AB 12. In addition, Federal legislation that would extend Waiver options is being explored; CEO has been advocating heavily for these extended options. Former DCFS Director David Sanders has been involved with the possible extended options for the Waiver, and has also made himself available to help on DCFS' Waiver plan.
- Interim Director Browning has brought his DPSS staff to assist him with budgeting, organization and quality assurance/control at DCFS.

- Although the Katie A. Panel would like every DCFS case to go through the QSR process, only a random sample of cases go through this process. Interim Director Browning acknowledged the Commission's suggestion of referring DCFS' most difficult cases to QSR. The QSR of cases from each DCFS office will not be completed until June 2012.
- Interim Director Browning informed the Commission that he has an open administration, and the Commission is welcome to attend any training sessions that they would like. Perhaps a list of all available trainings could be forwarded to the Commission. Another issue that is being addressed is the fact that no one fails the DCFS Academy, and that is simply unacceptable. Moving forward, the DCFS Academy has been revised and staff was informed that not every employee is going to pass the DCFS Academy. In terms of accountability, DCFS must get the best staff available.
- DCFS will have to reassign staff to ensure that each of the 6,600 cases for AB 12 will be reviewed.
- Any information forwarded to the media will certainly be made available to the Commission.

After discussion, by common consent and there being no objection, this item was received and filed.

III. DISCUSSION

6. Discussion and approval of proposed amendments to the Los Angeles County Commission for Children and Families' Policies and Procedures (Bylaws and Operating Procedures). **(2/3 vote)** (11-4040)

Vice-Chair Olivas reported that the Commission discussed the proposed changes to the Commission for Children and Families' Policies and Procedures (Bylaws and Operating Procedures at its meeting held on August 15, 2011). As a result of that meeting, Ms. Christina Salseda, Principal Deputy County Counsel, drafted language for the proposed amendments as requested by the Commission.

Ms. Salseda explained how adoption of the proposed amendments would impact the Commission's Bylaws and Operating Procedures, and added the following:

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- **The Commission currently has a limitation allowing the Chair to serve for no more than two consecutive terms. Adoption of the proposed amendments would extend the number of consecutive terms the Chair can serve from two terms to four, without requiring any further action by the Commission.**
 - **Additionally, after the fourth consecutive term, the proposed amendments would require approval to seek an additional consecutive term by two-thirds vote of the total number of Commissioners then appointed, regardless of the number of Commissioners present, should the Chair wish to seek a fifth consecutive term, or thereafter.**

After discussion, on motion of Commission Kleinberg, seconded by Commissioner Berger, the proposed amendments to the Commission Bylaws and Operating Procedures failed to carry by the following vote:

Ayes: 8 - Chair Curry, Vice Chair Friedman, Commissioner Berger, Commissioner Biondi, Commissioner Kleinberg, Commissioner Murray, Commissioner Trevino-Powell and Commissioner Williams

Noes: 4 - Vice Chair Olivas, Commissioner Franzen, Commissioner Kang and Commissioner Sorkin

Excused: 3 - Vice Chair Savelle, Commissioner McClaney and Commissioner Rudnick

After further discussion, on recommendation and motion of Commissioner Kang, seconded by Commissioner Murray, the aforementioned motion was reconsidered.

On motion of Commissioner Kang, seconded by Commissioner Kleinberg, the proposed amendments to the Commission's Bylaws and Operating Procedures were approved, setting term limits for the Chair from the originally proposed four-year term to a three-year term. All other proposed amendments were to remain unchanged. Said motion carried by the following vote:

Ayes: 12 - Chair Curry, Vice Chair Friedman, Vice Chair Olivas, Commissioner Berger, Commissioner Biondi, Commissioner Franzen, Commissioner Kang, Commissioner Kleinberg, Commissioner Murray, Commissioner Sorkin, Commissioner Trevino-Powell and Commissioner Williams

Excused: 3 - Vice Chair Savelle, Commissioner McClaney and Commissioner Rudnick

Attachments: [SUPPORTING DOCUMENT](#)

IV. PRESENTATION

7. Presentation on the Department of Children and Families Services (DCFS) Public Health Nursing (PHN) Program by:

- Dr. Charles Sophy, Medical Director, DCFS
- Maria Lieras, Nurse Manager, DCFS
- Wesley L. Ford, Director of Children's Medical Services, Department of Public Health (DPH)
- Dr. Joseph Duke, Director of Child Health & Disability Prevention (CHDP) Program, DPH
- Vani Dandillaya, Principal Analyst, Chief Executive Office (11-4033)

Dr. Sophy, Ms. Lieras, Mr. Ford, Dr. Duke, Ms. Dandillaya, and Ms. Tami Omoto-Frias, Budget Analyst, CEO, provided an update on the DCFS PHN Program, provided a copy of a document titled, "Public Health Nursed – Issues, Recommendations, & Project Plan," and added the following:

- **A recent proposal was drafted by DCFS in response to concerns raised by the Board Deputies and the Commission regarding the effectiveness of the DCFS PHN Program.**
- **The two areas of concern raised were how to improve the effectiveness of the PHN Program using existing resources, as well as how to expand the Program using additional funding sources.**
- **Earlier this month, a proposal was presented to the Board Deputies detailing the course of the DCFS PHN Program. However, they requested that DCFS rework the Program and that an emphasis not only be placed on increasing DPH nurses that are involved with the DCFS children, but also on improving their flexibility so that the DCFS and DPH nurses are able to perform the same type of work at the front-end of the system as well as the back-end.**

- **DCFS recently formed a workgroup that was tasked to review how to clarify roles and improve communication among the DCFS and DPH nurses and with the Children's Social Workers (CSWs).**

In response to questions posed by the Commission, the presenters added the following:

- **DCFS and DPH each have public health nursing programs that serve DCFS children at the 18 DCFS regional offices. Both groups of PHNs conduct similar activities, including: consultations with CSWs for children with medical conditions, and the coordination of care, and documentation of medical information entered into the Health and Education Passport (HEP) within the Child Welfare Services/Case Management System (CWS/CMS). While the two nursing programs conduct many similar activities, they perform distinct functions.**
- **The DCFS PHNs, who consult with CSWs on Emergency Response (ER) referrals, assess the health care and safety needs of children as they enter the DCFS system during the investigative phase, and they often conduct joint visits with the CSWs. The DCFS PHNs who work on Family Maintenance (FM) or voluntary Family Reunification (VFR) cases follow up with children with medical conditions to provide ongoing support throughout the case.**
- **The DPH PHNs ensure that the health care needs for court-detained children placed in out-of-home care are identified and met on an ongoing basis, and this includes services to the Probation Department and Children's Court. The DPH program PHNs conduct joint visits only in emergency situations. For open court Family Reunification (FR) and Permanent Placement (PP) cases that receive an ER referral, the DPH PHN continues to be on the case.**
- **DCFS has 47 PHNs who provide consultation services to CSWs for children and families referred to ER, VFM/FM, and VFR. In addition, 75 DPH PHNs provide consultation services to CSWs for children who are in court-detained and in out-of-home care (court FR and PP).**
- **DCFS PHNs are not funded through California's Health Care Program for Children in Foster Care (HCPCFC), but receive Title XIX funds from the California Department of Social Services for services provided by Skilled Professional Medical Personnel (SPMP).**

- The HCPCFC program funds the DPH PHNs and is administered by the California Department of Health Care Services through Title XIX and receives enhanced Medi-Cal reimbursement for SPMP case management activities provided only to children in foster care (FR/PP or court detained and in out-of-home care).
- Approximately five or six years ago, DCFS blended the Title XIX money for the DCFS PHNs only with Title IV-E Waiver money to see DCFS youth prior to being detained. Essentially the DCFS PHNs are doing front-end work while the DPH PHNs are doing back-end work. The goal is to have all PHNs do the work that DCFS PHNs. The workgroup is reviewing the possibility of blending the funding that DPH PHNs receive.
- Both DCFS and DPH PHNs see children of all ages, however due to the extremely high caseloads for PHNs, priorities have been setup for both DCFS and DPH PHNs and a list has been provided to the nurse managers and to the nurses of the what the priorities of diagnoses', levels of illness and what types of children the PHNs have to see. The other PHNs are brought in for consultation on an as needed basis by the social worker.
- The DPH PHN program originated in 2001; at the time there was no organized health care system for youth who were detained in foster care system. The program was designed to collect the medical history of the youth to ensure that the youth received proper medical care while in the foster care system. Many of the youth have multiple needs, for example there are approximately 800 children detained within the foster care system who are also part of the California Children's Services Program. These children have critical needs and have diagnoses such as leukemia.
- The actual expenditure for DCFS PHN totals approximately \$5.22 million, and the DPH PHN actual expenditures totals \$11.10 million. The total expenditures include the cost of 47 DCFS PHNs, 75 DPH PHNs, 10 DPH clerical staff and 9 DCFS clerical staff.
- DCFS receives approximately 11,000-12,000 ER referrals monthly yielding the ratio between PHNs and cases of approximately 1 PHN for every 500 cases. ER referrals are counted per case not the number of children involved in each case; therefore, an ER referral

may involve more than one child, yielding an average of 2.1 children per ER case. DCFS PHNs see approximately 25,000 children of which 40-60 percent have medical issues; this high volume is overwhelming, and is a contributing factor to the PHNs slow process in the closure of ER referrals.

- The State-recommended caseload for DPH PHNs is 200; however, current caseload per DPH PHN is approximately 350 to 400. Currently, a workgroup is reviewing alternatives to maximize the work of PHNs by opening up the flexibility in the interpretation of the funding from DPH to enable PHNs to see youth on the front-end as well as the back-end, or through hiring additional nurses through the Title IV-E Waiver.
- The CSW makes the decision as to whether or not involve a DPH PHN. However, in the event that there is a critical incident or child fatality, DPH will assign a PHN to that case.
- DCFS PHNs refer cases to Women, Infants, and Children Supplemental Nutrition Program (WIC) if they are eligible. In addition, WIC workers are mandated reporters and do refer cases to DCFS. Information on cases that have been referred to DCFS by WIC was not available; however, DCFS staff will follow up with the Commission and provide this information.
- Developmental screenings and mental health screenings are conducted at the DCFS Medical HUBs if they weren't done at the front-end. The purpose of today's presentation was to address the questions posed by the Commission and the Board Deputies.
- The report titled, "Public Health Nurses – Issues, Recommendations, & Project Plan," is in draft form; however, a good start to enhance the DCFS PHN Program. DCFS also believes that the first step to placing measurements on the PHN Program is by tracking data, and in order to track the data, adjustments need to be made to the Child Welfare Services/Case Management System (CWS/CMS) that DCFS and DPH share. In addition, social workers have been invited to the table to discuss their experiences with the Program, which has not been done in the past.
- The PHN workgroup will reconvene and forward any new developments to the Commission.

After discussion, by common consent and there being no objection, this item was received and filed. Dr. Sophy invited the Commission to provide input on the presentation and the report presented.

Attachments: [SUPPORTING DOCUMENT](#)

V. MISCELLANEOUS

Matters Not Posted

8. Matters not on the posted agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting of the Commission, or matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda (11-4026)

There were none.

Announcements

9. Announcements for the meeting of September 19, 2011. (11-4029)

There were none.

Public Comment

10. Opportunity for members of the public to address the Commission on items of interest that are within the jurisdiction of the Commission. (11-4030)

No members of the public addressed the Commission.

Adjournment

11. Adjournment for the meeting of September 19, 2011. (11-4031)

The meeting was adjourned at 12:11 p.m.